

BILL ANALYSIS

C.S.H.B. 2139
By: Guillen
Culture, Recreation & Tourism
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Due to budget constraints, the state's public libraries are facing financial difficulties. C.S.H.B. 2139 seeks to address this issue by allowing the Texas State Library and Archives Commission to establish or to assist other state agencies or organizations in establishing an Adopt-A-Library program to encourage public and private entities to invest in public libraries throughout Texas.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the Texas State Library and Archives Commission in SECTION 1 of this bill.

ANALYSIS

C.S.H.B. 2139 amends the Government Code to authorize the Texas State Library and Archives Commission to establish or to assist other state agencies or organizations in establishing an Adopt-A-Library program to encourage investment in and donations to public libraries in Texas. The bill authorizes the commission to use any cash, gift, grant, donation, or in-kind contribution that it receives from a public or private entity through the program to assist the commission or public libraries in Texas in the establishment, provision, improvement, or expansion of library services. The bill requires the commission to provide information about the program on the commission's Internet website and authorizes the commission to adopt rules reasonably necessary to perform its duties under the bill's provisions.

C.S.H.B. 2139 establishes that, for purposes of provisions of law relating to charitable contributions of state employees, the Adopt-A-Library program is considered an eligible charitable organization entitled to participate in the state employee charitable campaign and a state employee is entitled to authorize a deduction from the employee's salary or wage payment for contributions to the program as a charitable contribution under state law.

EFFECTIVE DATE

September 1, 2011.

COMPARISON OF ORIGINAL AND SUBSTITUTE

C.S.H.B. 2139 differs from the original by authorizing the Texas State Library and Archives Commission to establish or to assist other state agencies or organizations in establishing an Adopt-A-Library program, whereas the original requires the commission to establish such a program. The substitute differs from the original by providing that the program's establishment is to encourage investment in public libraries, whereas the original specifies that such investment refers to private investment.

C.S.H.B. 2139 contains a provision not included in the original authorizing the commission to use any of specified types of contributions it receives from a public or private entity through the

program to assist the commission or public libraries in Texas in the establishment, provision, improvement, or expansion of library services. The substitute contains a provision not included in the original authorizing the commission to adopt rules reasonably necessary to perform its duties under the bill's provisions.

C.S.H.B. 2139 contains provisions not included in the original establishing that, for purposes of provisions of law relating to charitable contributions of state employees, the Adopt-A-Library program is an eligible charitable organization entitled to participate in the state employee charitable campaign and entitling a state employee to authorize a deduction for contributions to the program. The substitute differs from the original by making nonsubstantive changes.